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fulfilled its functions when it has found a remedy for actual or threatened wrong for which the law furnished no adequate redress, and it cannot properly take jurisdiction where it is not shown that the wrong which is feared will probably result from the wrongful acts of the parties who are before the court, without the intervention of persons to the court unknown. *N. Y. &c. R. Co. v. Reeves* (Ct. App. N. Y.), 30 N. Y. Law Journal, 287.

RECEIVERS—ACTIONS AGAINST—STATE AND FEDERAL COURTS.—An action brought in the state court against receivers of a railroad company, appointed by a federal court, may proceed to final judgment against the receivers, notwithstanding they had, in the meantime, been discharged and the road sold under foreclosure, the decree of sale in the federal court containing a provision that the purchaser would take the property subject to all obligations and liabilities of the receivers. While the Code of Civil Procedure (sec. 756) authorizes, in such a case, substitution of the purchaser as party defendant, yet when neither party has asked for substitution the action may proceed to judgment as against the receivers, and the purchaser, by the terms of sale, will be bound by it.

The provision of the United States statute authorizing actions to be commenced in a state court against receivers appointed by the federal court, without first obtaining leave of the latter court, and that "such suits shall be subject to the general equity jurisdiction of the court in which such receiver was appointed," does not contemplate reserving to the federal court exclusive jurisdiction to establish claims to the fund after sale of the property and discharge of the receiver; but simply that all claims, in whatever court they are established, may be disposed of at the foot of the decree with reference to the rights of all the creditors. *Baer v. McCullough, Receiver* (Ct. App. N. Y.), 30 N. Y. Law Journal, 223.

CONTRACTS.—FRAUDULENT PROCUREMENT—RELIEF AT LAW.—One who has been fraudulently induced by an agent of a telephone company to execute a release under seal of the right to construct and maintain a telephone line in the highway along his property, the agent representing that the paper was only a receipt for \$1 paid him for trimming one of his trees, is not precluded by his own negligence in failing to read the paper before signing it, from thereafter maintaining an action of ejectment against the company to compel it to remove the poles and for damages.

The plaintiff is not obliged to appeal to a court of equity for relief against his deed, but may avoid it, when set up by the company in defense of his action of ejectment, by proof of the fraud in its execution.

Nor is he obliged, in such a case, to return the consideration paid him on executing the instrument. *Wilcox v. American Telephone etc. Co.* (Ct. App. N. Y.), 30 N. Y. Law Journal, 261. Citing *Albany City Sav. Instn. v. Burdick*, 87 N. Y. 40.

Upon the question of practice, the court said, per Cullen, J.:

"The practice adopted by the plaintiff was entirely proper. He was not obliged to appeal to a court of equity for relief against the deed, but when